

UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America)

v.)

Willie James Moffett)

Date of Previous Judgment: 3/24/99
(Use Date of Last Amended Judgment if Applicable)

) Case No: 3:97CR185-1
) USM No: 06723-058 (original judgment had 13127-058)
) Claire J. Rauscher & Tanzania Chevron Cannon-Eckerle
) Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 150 months **is reduced to** 123 months.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

| | | | |
|----------------------------|----------------------------------|----------------------------|---------------------------------|
| Previous Offense Level: | <u>37</u> | Amended Offense Level: | <u>35</u> |
| Criminal History Category: | <u>VI</u> | Criminal History Category: | <u>VI</u> |
| Previous Guideline Range: | <u>360</u> to <u>life</u> months | Amended Guideline Range: | <u>292</u> to <u>365</u> months |

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 3/24/99 shall remain in effect.

IT IS SO ORDERED.

Order Date: May 19, 2008

Effective Date: _____
(if different from order date)



Graham C. Mullen
United States District Judge

